

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JEFFREY L. LONG,
Plaintiff,

v.

MARIN COUNTY SHERIFF JOHN DOES
1-4,
Defendant.

Case No. 22-cv-06106-TLT

ORDER TO SHOW CAUSE

On January 20, 2023, the Court ordered Plaintiff to provide the Court addresses at which each of the Defendants can be served. ECF No. 10. The Court explained that because Plaintiff has been authorized to proceed *in forma pauperis*, service of the complaint will be made by the United States Marshals. *Id.* (citing Fed. R. Civ. P. 8(c)(3)). However, for service to be attempted, the Marshals need Defendants' addresses. Plaintiff had until February 2, 2023, to respond to the Court's order. *Id.* To date, he has failed to provide any response.

Federal Rule of Civil Procedure 41(b) provides that where a "plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it." A defendant need not file a motion in order for a district court to dismiss a case under Rule 41(b), given the Supreme Court's statement that "[t]he authority of a court to dismiss *sua sponte* for lack of prosecution has generally been considered an 'inherent power,' governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs[.]" *See Link v. Wabash R. Co.*, 370 U.S. 626, 630–31 (1962).

Plaintiff is **ORDERED TO SHOW CAUSE** why this case should not be dismissed without prejudice for a failure to prosecute. Plaintiff shall file a statement of no more than two pages by February 24, 2023. Plaintiff must also provide by that same date addresses at which each of the Defendants can be served by February 24, 2023.

IT IS SO ORDERED.

Dated: February 6, 2023

A handwritten signature in black ink, appearing to read 'Trina L. Thompson', is written over a horizontal line.

TRINA L. THOMPSON
United States District Judge